IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FOURTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 21367 of 1999

Between:

Andhra Evanglical Luthern Church's

Tarlupadu College of Education, Tarlupadu,

Prakasam District., rep. by its President and Manager

Dr.Rev.G. Emmanuel

..... PETITIONER

AND

1. State of A.P., rep. by its Secretary

Education Dept. (School Education),

Secretariat, Hyderabad.

2. Commissioner & Director of School Education,

Government of Andhra Pradesh, Hyderabad,

3. Regional Joint Director of School Education,

Guntur, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ more in the nature of a Writ of Mandamus declaring the action of the respondents in seeking to interfere with the internal administration of the petitioner institution by thrusting the Regional Joint Director of School Education concerned into the selection and admission process of the Petitioner Minority Institution through their Memo dated 1.9.1999 in No.23940/Trg-1/99-3, as being arbitrary and violative of Art.14 and 30(1) of the Constitution of India and also contrary to the provisions of G.O.Ms.No.405, dated 6.11.1995 and issue a

consequential direction to the respondents not to interfere with the selection process of the Petitioner Institution.

Counsel for the Petitioner:MR.CH.SAMSON BABU

Counsel for the Respondents: GP FOR SCHOOL EDUCATION

The Court made the following :

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.21367 OF 1999

ORDER:

The petitioner is a minority educational institution offering B.Ed., course. During the academic year 1999-2000, first respondent addressed the Correspondent of the petitioner college not to commence admissions into B.Ed., course for the academic year 1999-2000 unless and until the Government communicates the list of approved colleges of Education, for the said academic year. It was also informed that the Regional Joint Director of School Education would participate as a nominee of the Government in the admission committee. Assailing the same, present Writ Petition is filed.

This Court admitted the Writ Petition on 31.10.1999 and by order of even date, made in W.P.M.P.No.26801 of 1999, suspended the impugned letter and permitted the petitioner college to go ahead with the selection, but not to admit the students. In that view of the matter, and also having regard to the fact that the academic year has expired long back, nothing survives in the Writ Petition. If any question arises as to role of the Government to nominate one of its officials in the admission committed, it is purely an academic question, which shall be considered in appropriate case.

The Writ Petition is accordingly dismissed as infructuous. No costs.

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(V.V.S.RAO, J)

4.8.2004

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SECTION OFFICER

To

1. The Secretary, Education Dept. (School Education),

Government of Andhra Pradesh,

Secretariat, Hyderabad.

2. The Commissioner & Director of School Education,

Government of Andhra Pradesh, Hyderabad,

3. The Regional Joint Director of School Education,

Guntur, Guntur District.

4.2CCs to G.P. for School Education, High Court Bldgs., Hyderabad (OUT),

5.2CD copies.